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HOMEMAKERS' CHAT

Monday, July 18, 1938

(FOR BROADCAST USE ONLY)

Subject: "THE NEW FOOD, DRUG, AND COSMETIC LAW." Facts from the Federal Food and Drug Administration, U. S. Department of Agriculture.

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The world does move -- and sometimes it moves in the right direction.

That's my comment, after reading today's report from our correspondent with the Federal Food and Drug Administration, which enforces the Food and Drugs Act -- Oh no! Not the Food and Drugs Act. For there's a new Law since the 25th of June, when President Roosevelt signed the Food, Drug, and Cosmetic Act of 1938, which becomes fully effective on June 25, 1939.

Notice that word "Cosmetic" in the new law? From now on, the Federal Food and Drug Administration will have control over cosmetics, as well as food and drugs.

Quoting today's report:

"Secretary Wallace, speaking of the new Law, said that it is a great step forward in the protection of the American public. That it broadens the scope of the old Law and, in many respects, reinforces those provisions which have stood the test of time. It will also benefit the honest manufacturers who are entitled to Governmental protection against unethical competitors.

"The new Act goes much farther than the old, in that it contains positive requirements for informative labeling, in the interest of consumers, in addition to the negative prohibitions against mislabeling contained in the old statute. The new Act amplifies and strengthens the provisions designed to safeguard the public health and prevent deception, and extends the scope of the Law to include cosmetics, therapeutic devices, and certain drugs that now escape regulation.

"Secretary Wallace has assigned enforcement of the Law to the Food and Drug Administration of the Department of Agriculture. He pointed out that the Administration's experience, through 32 years of food and drug law enforcement, and the enthusiasm of its officers for public protection, will guarantee as effective administration of the new Law as can possibly be accomplished with the facilities available."

The next part of today's report is a brief outline of the principal differences between the new Law and the old. Here they are:

The new law brings all cosmetics except toilet soaps under control, and outlaws those which may be injurious to health. This means that the American public will be protected against dangerous cosmetics such as eyelash dyes that have been known to cause blindness.

It brings therapeutic devices under control. In the past, many curative claims have been made for devices such as electric belts, which have no value.

7/18/38

It regulates drugs intended for diagnosing illness or for remedying underweight and overweight, or otherwise affecting bodily structure or function. Included in this group are the so-called "slenderizers," containing drugs of the dinitrophenol type, many of which have caused blindness or death.

The new Law requires adequate testing of new drugs for safety before they are put on the market. Elixir of sulfanilamide, which caused the death of nearly 100 persons last year, dramatically emphasized the need for this provision.

It provides for the promulgation of definitions and standards for foods. The old Law contained no such authority except for canned foods. This means that the definitions and standards which under the old Law were not binding, but merely advisory, will now have legal force and effect.

The new Law increases penalties for violations. Under the old Law the maximum fine for the first offense was \$200. Under the new Act a first offense may be punished with a fine of \$1,000 or one year imprisonment, or both. Under the new Law this penalty is increased to a maximum of \$10,000 or three years imprisonment, or both. Even for first offenses, where the court finds evidence of fraud or deliberate intent to violate the Act, the maximum penalties are \$10,000 fine or three years imprisonment, or both.

The new Law provides authority for the Federal courts to restrain violations by injunction.

It eliminates the necessity for proving fraudulent intent in the labels of patent medicines. Under the new Law any such medicine proved to be worthless may be removed from the market.

It requires drugs intended for use by man to bear labels warning against habit formation, if they contain any of a list of narcotic or hypnotic habit-forming substances, or any derivative of any such substances which possesses the same properties.

The new Law requires the labels of non-official drugs to list the names of active ingredients, and in addition to show the quantity or proportion of certain specified substances.

Our report concludes with another statement from Secretary Wallace:

"Under the new Law, as under the old, the consumer who wishes to avail himself of the maximum protection afforded by the operation of enforcement will have to make some study of the meaning of statements that appear on the labels of foods, drugs, and cosmetics.

"The old Act forbade certain types of statements on labels. It contained few positive requirements for labeling. The new Act requires much information of value to consumers to appear on the packages in which we buy foods, drugs, and cosmetics. It is still up to the consumer to find out what this significant information means to him and his family, and to apply that knowledge in his buying.

And that, fellow homemakers, means we'll go right on with our study of labels.
